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11 *Attorneys for Microsoft Mobile Inc. and Microsoft Mobile Oy*

12 **UNITED STATES DISTRICT COURT**  
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
14 **OAKLAND DIVISION**

15  
16 IN RE: LITHIUM ION BATTERIES  
17 ANTITRUST LITIGATION

18 This Document Relates to:

19 *Microsoft Mobile, Inc. et al. v. LG Chem*  
20 *America Inc. et al.*

Case No. 4:13-md-02420-YGR (MDL)

Case No. 4:15-cv-03443-YGR

**DECLARATION OF B. PARKER  
MILLER IN SUPPORT OF  
MICROSOFT MOBILE INC.'S AND  
MICROSOFT MOBILE OY'S  
RESPONSE IN OPPOSITION TO  
PANASONIC AND SANYO  
DEFENDANTS' MOTION TO DISMISS  
AND COMPEL ARBITRATION**

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28 DECL. OF B. PARKER MILLER ISO MICROSOFT  
MOBILE'S OPP. TO PANASONIC AND SANYO  
DEFENDANTS' MOTION TO DISMISS AND  
COMPEL ARBITRATION

MASTER FILE NO. 4:13-MD-02420-YGR  
CASE NO. 4:15-CV-03443-YGR

1 I, Parker Miller, declare and state as follows:

2 1. I am an attorney with the law firm of Alston & Bird LLP, counsel for Plaintiffs  
3 Microsoft Mobile Inc. and Microsoft Mobile Oy (collectively, "Microsoft Mobile") in the above-  
4 captioned action. I am a member in good standing of the State Bar of Georgia and am admitted  
5 to practice before this Court in this Action. I make this declaration in support of Microsoft  
6 Mobile's Response in Opposition to Panasonic and Sanyo Defendants' Motion to Dismiss and  
7 Compel Arbitration. I am familiar with the files and records in this action and of the facts set  
8 forth in this declaration. If called as a witness, I could and would testify competently to such  
9 facts.

10 2. Microsoft Mobile's accompanying brief cites to certain unpublished orders and  
11 filings, which are attached hereto as Exhibits 1 through 11:

- 12 a. Attached as Exhibit 1 is a true and accurate copy of the Order Granting  
13 Motion to Compel Arbitration, entered in *In re CRT*, Master Case No. c-07-  
14 5944-SC, Dkt. No. 3215 (N.D. Cal. Dec. 18, 2014).
- 15 b. Attached as Exhibit 2 is a true and accurate copy of the Order Adopting  
16 Special Master's Report and Recommendation Regarding Toshiba  
17 Defendants' Motion to Compel Arbitration, entered in *In re CRT*, Master Case  
18 No. 3:07-cv-05944-SC, Dkt. No. 1543 (N.D. Cal. Jan. 28, 2013).
- 19 c. Attached as Exhibit 3 is a true and accurate copy of the Order Granting in Part  
20 and Denying in Part the Philips Defendants' Motion to Compel Arbitration,  
21 entered in *In re CRT*, Master Case No. 3:07-cv-05944-SC, Dkt. No. 2265  
22 (N.D. Cal. Dec. 13, 2013).
- 23 d. Attached as Exhibit 4 is a true and accurate copy of the Order Denying Epson  
24 Defendants' Motion to Compel Arbitration and Granting Costco Leave to  
25 Amend Complaint, entered in *In re TFT-LCD*, Master Case No. 3:07-md-  
26 01827-SI, Dkt. No. 4347 (N.D. Cal. Dec. 15, 2011).

- e. Attached as Exhibit 5 is a true and accurate copy of the Order Granting in Part NEC Defendants' Motion to Compel Arbitration, entered in *In re TFT-LCD*, Master Case No. 3:07-md-01827-SI, Dkt. No. 4526 (N.D. Cal. Jan. 10, 2012).
- f. Attached as Exhibit 6 is a true and accurate copy of the Order re: AU Optronics' Request for Clarification, entered in *In re TFT-LCD*, Master Case No. 3:07-md-01827-SI, Dkt. No. 6622 (N.D. Cal. Sept. 5, 2012).
- g. Attached as Exhibit 7 is a true and accurate copy of Panasonic Defendants' Redacted Notice of Motion, and Motion to Dismiss and to Compel Arbitration, filed in *In re CRT*, Master Case No. 3:07-cv-05944-SC, Dkt. No. 2767 (N.D. Cal. Aug. 25, 2014).
- h. Attached as Exhibit 8 is a true and accurate copy of Plaintiff Viewsonic Corp.'s Redacted Opposition to Panasonic Defendants' Motion to Dismiss and to Compel Arbitration, filed in *In re CRT*, Master Case No. 3:07-cv-05944-SC, Dkt. No. 2867 (N.D. Cal. Sept. 22, 2014).
- i. Attached as Exhibit 9 is a true and accurate copy of Redacted Reply in Support of Panasonic Defendants' Motion to Dismiss and to Compel Arbitration, filed in *In re CRT*, Master Case No. 3:07-cv-05944-SC, Dkt. No. 2899 (N.D. Cal. Oct. 6, 2014).
- j. Attached as Exhibit 10 is a true and accurate copy of the Special Master's Report and Recommendation on Mitsubishi's Motion to Compel Discovery re: Viewsonic's Sales, entered in *In re CRT*, Master Case No. c-07-5944-SC, Dkt. No. 3401 (N.D. Cal. Jan. 16, 2015).
- k. Attached as Exhibit 11 is a true and accurate copy of the Order Adopting Reports and Recommendations, entered in *In re CRT*, Master Case No. c-07-5944-SC, Dkt. 3870 (N.D. Cal. June 11, 2015).

1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct.

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4 Executed this 3rd day of November, 2015, in Atlanta, Georgia.

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6 /s/ B. Parker Miller

7 B. Parker Miller  
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